

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) Case No. 1:20-cr-68
v.) Judge Travis R. McDonough
MALCOLM HARDY) Magistrate Judge Christopher H. Steger

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 40) recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea to Count One of the one-count Indictment; (2) accept Defendant's guilty plea to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 40) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea to Count One of the one-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of possession of a firearm by a convicted felon in violation of 18 U.S.C. § 922(g)(1); and

4. Defendant **SHALL REMAIN** in custody pending further order of this Court or sentencing which is scheduled to take place on **July 29, 2022, at 2:00 p.m.**, before the undersigned.

SO ORDERED.

*/s/ **Travis R. McDonough***
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE